

strict our actions as we proceed further on in the constitution? Do you feel that we could then establish such a board and designate some officer to serve? Are we restricted simply in the use of the word "comptroller" as the designation of the officer?

DELEGATE ADKINS: No. I would say the answer to that is clearly no. If you agree with the Majority Report here and eliminate the comptroller as an elected office, it is still before the Convention to either deny a Board of Public Works constitutional status or to construct such a Board of Public Works for the constitution, as the Convention thinks wise. There is no magic in having an elected comptroller as a member of the Board of Public Works if that is your question. I am not sure that answers it.

THE CHAIRMAN: Delegate Chabot.

DELEGATE CHABOT: I also am not sure of the language of the Report that we are voting on, that the office of the comptroller not be provided for in this constitution. If we agree with the Committee at this stage, and still determine to create a Board of Public Works, have we not decided that the comptroller, whatever that may mean, cannot be a member of this Board of Public Works?

DELEGATE ADKINS: No, not unless you decide that the Board of Public Works, as the Convention would propose, is exactly identical with the existing Board of Public Works, which is not yet before the Convention. You can have a Board of Public Works composed of the governor, a treasurer, the post-auditor, any set number of officials that the Convention saw fit to write into the provision for a Board of Public Works.

THE CHAIRMAN: Delegate Chabot.

DELEGATE CHABOT: Then, do I understand correctly, that our decisions on items 2 and 3 would not in any way prevent us, if we decided that there should be a Board of Public Works, from constituting it any way we wanted to?

DELEGATE ADKINS: I see no logical inconsistency, unless, I think I should add this caveat, unless you were to decide that you wanted a Board of Public Works composed of an elected comptroller, and an elected treasurer. In that event, I think you would have an inconsistency, but not otherwise.

THE CHAIRMAN: Delegate Pullen.

DELEGATE PULLEN: Mr. Adkins, it is my understanding that a committee determines the estimates of income for the State. My question, sir, is this: When the final statement of income is put in the executive budget, which is the governor's budget, does the governor have a right to change that? Are they his figures or are they the figures of the committee?

DELEGATE ADKINS: Are you directing your question to the extent of the governor's right to change the Board of Revenue Estimates' figures for the purpose of determining whether the budget is balanced or not?

DELEGATE PULLEN: It has a bearing upon the necessity of an elected comptroller. I simply want to know the authority vested in the governor in such instance.

THE CHAIRMAN: Delegate Pullen, Delegate Adkins was asking whether you were referring to the authority of the governor to disregard an estimate of the Board of Revenue Estimates.

DELEGATE PULLEN: Precisely.

DELEGATE ADKINS: I would stand to be corrected on this. My thought is, I have not personally researched this problem, but my thought is that the governor is bound by the revenue estimates produced by the Board of Revenue Estimates, and to that extent is suffering, I think, one of the severest limitations on the gubernatorial power that a governor can have, and indeed I consider that to be one of the very root problems involved in this tri-headed executive that we now have.

THE CHAIRMAN: Delegate Pullen.

DELEGATE PULLEN: Then, it is your theory that an elected governor, who may or may not have administrative ability, has the omniscience to decide exactly how much revenue we are going to have whether he has competence or not?

DELEGATE ADKINS: I do not think an elected governor has that omniscience any more than an elected comptroller. I think both are forced to rely to the extent that they can on the best expert talent in the field that they can elicit on the best mechanical devices for compiling the information and making the necessary forecasts. However, I see no reason why the governor is not equally as competent to select the personnel to do this job as is an elected comptroller.

THE CHAIRMAN: Delegate Pullen.